



CERRO COPPER PRODUCTS CO.

P.O. Box 66800

St. Louis, MO 63166-6800

618/337-6000

164398

July 27, 1990

Mr. Richard J. Kissel, Esq.  
Gardner, Carton & Douglas  
321 N. Clark Street  
Chicago, IL 60610

Dear Dick:

Pursuant to our recent conversation concerning the status of the Sauget Sites-Area I discussions with the IEPA and Attorney General's Office I am enclosing Mike Rodburg's letter to Jim Morgan.

The subject and general sense of the letter was discussed during meetings of interested parties in person and by phone.

You are, of course, encouraged to attend future meetings to remain informed about these activities.

Best regards,

Yours very truly,

CERRO COPPER PRODUCTS CO.

Paul Tandler  
Vice President

PT/ge  
Encl.

cc: M. Rodburg, Esq. - no encl.  
S. Krchma, Esq. - Monsanto Company - no encl.  
File

bcc: H. L. Schweich  
J. M. Grana  
File



A member of The Marmon Group of companies

S87

# LOWENSTEIN, SANDLER, KOHL, FISHER & BOYLAN

A PROFESSIONAL CORPORATION

COUNSELLORS AT LAW  
65 LIVINGSTON AVENUE  
ROSELAND, NEW JERSEY

07068-1791

TELEPHONE (201) 992-8700

FACSIMILE (201) 992-5620

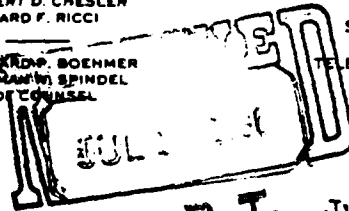
SOMERVILLE OFFICE

TELEPHONE (201) 526-3300

ALAN V. LOWENSTEIN  
RICHARD M. SANDLER  
BENEDICT M. KOHL  
ARNOLD FISHER  
JOSEPH LEVOW STEINBERG  
MATTHEW P. BOYLAN  
BRUCE D. SHOULSON  
JOHN R. MACKAY 2ND  
MARTIN R. GOODMAN  
JOHN D. SCHUPPER  
STEPHEN M. DERMER  
MICHAEL L. RODBURG  
ALLEN B. LEVITMAN  
R. BARRY STIGER  
GREGORY B. REILLY  
PETER M. EHRENBERG  
HOWARD S. DENBURG  
STEVEN B. FUERST  
THEODORE V. WELLS, JR.

WILLIAM S. KATCHEN  
MICHAEL DORE  
GERALD KROVATIN  
RICHARD D. WILKINSON  
ALAN WOVSANIKER  
KENNETH J. SLUTSKY  
DAVID L. HARRIS  
ZULIMA V. FARBER  
WILLIAM P. MUNDAY  
COLLEEN P. KELLY  
DANIEL J. BARKIN  
GEORGE J. MAZIN  
JAMES STEWART  
ROBERT L. KRAKOWER  
KEITH H. ANSBACHER  
LAURA R. KUNTZ  
ROBERT D. CHESLER  
RICHARD F. RICCI

RICHARD P. BOENNER  
NORMAN W. SPINDEL  
OF COUNSEL



BY P.T. July 10, 1990

LEE HILLES WERTHEIM  
STUART S. YUSEM  
KEVIN KOVACS  
JOHN L. BERGER  
PHYLLIS F. PASTERNAK  
RICHARD NIEMIEC  
MARY LYNN RICIGLIANO  
LUCINDA P. LONG  
STEPHEN H. SKOLLER  
DAVID W. FIELD  
MARY JO REICH  
ANN P. OSTERDALE  
MARTHA L. LESTER  
LINDA PICKERING  
MICHAEL O'B. BOLDT  
BETH ANN WILANSKY  
BONNIE K. LEVITT  
MICHAEL D. SCOTT  
ROCHELLE B. GALISER  
SOLON L. MANDEL  
PAUL C. PAWLOWSKI  
DENNIS F. GLEASON  
ANTHONY J. REITANO, JR.  
HOWARD A. REICHMAN  
ROBERT G. MINION  
KAREN GAYNOR KILLEEN  
M. ANNE CONLEY-PITCHELL  
JEFFREY J. WILD  
LEON S. SEGEN  
TERRY E. THORNTON  
ALEXANDER J. KOVACS  
CONSTANCE J. ALEXANDER  
MARIA A. DANTAS  
ARTHUR M. SAEWITZ  
DAVID S. WOLIN  
DOLORES M. BLACKBURN

GEORGIA A. McMILLEN  
MARC B. KRAMER  
JOHN F. DELANEY  
SCOTT E. RATHER  
LYNNE S. SCHERTZ  
PATRICK J. CONLON  
SAMUEL ROSENBERG  
JOHN M. NOLAN  
GARY M. WINGERS  
CHRISTINE RANIERI SMITH  
MARJORIE E. KLEIN  
IVAN M. BARON  
VIVIAN D. LAGER  
SUNIL K. GARG  
GAILE E. XIOUES  
EILEEN M. CLARK  
MONICA C. BARRETT  
BRIAN M. ENGLISH  
RICHARD P. SHAPIRO  
NANCY LAKE MARTIN\*\*\*  
ALLEN P. LANGJAHN\*\*\*\*  
JOHN S. McCUSKER\*  
JAYNE A. PRITCHARD  
MIRIAM KAHAN BRODY  
GWEN J. LOURIE  
DARRYL EVERETT GUGIG  
SAMUEL B. SANTO, JR.  
JONATHAN T. K. COHEN  
CRAIG M. LESSNER  
SUSAN L. YODOVIN  
PAUL F. CARVELLI  
JAY A. SOLED  
SUSAN E. WALBROECK\*\*  
ADAM L. GANS  
KAREN E. TRAEGER\*

\*N.Y. BAR ONLY  
\*\*TEXAS BAR ONLY  
\*\*\*CA. BAR ONLY  
\*\*\*\*FL. BAR ONLY

James L. Morgan, Esq.  
Assistant Attorney General  
Illinois Attorney General's Office  
Environmental Control Division  
500 South Second Street  
Springfield, IL 62706

Re: Sauget Area I

Dear Mr. Morgan:

This will report to you regarding the status of the efforts of certain parties named by IEPA as potentially responsible for one or more of the sites which comprise Area I.

Since the May 31, 1990 PRP meeting with IEPA, a number of the PRP's have participated in several discussions in person and by telephone conference call concerning your request for a PRP financed and performed RI/FS for Area I. A number of issues have been identified, several of which IEPA may be able to address. First, the PRP's do not believe that all parties with potential responsibility have been identified by IEPA. As you know, Monsanto and Cerro shared with IEPA their information on this subject on June 6, 1990. We remain hopeful that additional PRP's will be identified and notified.

Second, most of the identified PRP's are current or recent past owners of properties within the sites comprising Area I who acquired their interests after

071090ATYMLR534

James L. Morgan, Esq.  
Page 2

July 10, 1990

disposal activities had ceased, sometimes without knowledge of the antecedent landfilling activities. Not surprisingly, many of these parties regard themselves as innocent landowners or de minimis potentially liable parties and are not willing to contribute substantially to the effort. Our most significant identified need is access to persons or records regarding the identity of transporters and waste generators who used the sites for disposal. The PRP's are contemplating several initiatives to develop this information. Certainly IEPA's assistance in these efforts will be of critical importance.

Despite the obstacles facing the PRP's, we do believe the group is making progress toward a commitment to the RI/FS process. Cerro has affirmed to the PRP's that it is willing to provide administrative leadership for a number of the sites if a sufficient number of PRP's participate in the effort and a satisfactory apportionment of the costs can be attained. Monsanto has expressed interest in a similar commitment for the other Area I sites. Preliminary cost estimates are being prepared and alternative funding arrangements are being considered.

We believe that the PRP's have shown sufficient interest to begin to develop a detailed scope of work for the RI/FS on a site-by-site basis. We suggest that our technical representatives meet with yours to develop the scope of work and work plan.

Of course, this letter is not and should not be construed as a binding commitment on any parties' part at this time. Moreover, this communication is part of settlement discussion and is without admission of any liability and without prejudice to any party.

Very truly yours,



Michael L. Rodburg

MLR/ca

cc: Mr. Paul Takacs  
Stephen P. Krchma, Esq.  
Mr. Paul Tandler

7/16/90 cc. H. L. SCHUMMER  
J. M. GRANA  
Ray Brown